



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/289,305	04/09/1999	GLENN BEGIS	10559/008001	8436

20985 7590 08/05/2004

FISH & RICHARDSON, PC
12390 EL CAMINO REAL
SAN DIEGO, CA 92130-2081

EXAMINER

ABELSON, RONALD B

ART UNIT	PAPER NUMBER
----------	--------------

2666

DATE MAILED: 08/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/289,305

Applicant(s)

BEGIS, GLENN

Examiner

Ronald Abelson

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,8-10,12,13 and 15-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-5,8-10,12,13,15-19 and 21-24 is/are rejected.
- 7) ☐ Claim(s) 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2666

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract contains the term "said" in lines 7 and 8.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Art Unit: 2666

2. Claims 1, 5, 9, 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weingarten (US 6,078,579) in view of Maroulis (US 6,584,094) in further view Rasmussen (US 5,222,136).

Regarding claims 1, and 12-13, Weingarten teaches establishing a connection across a first communication network that carries audio signals (fig. 5 element 80, col. 8 lines 10-13).

Weingarten teaches encoding a computer network address for a second network different from the first network into an encoded network address (col. 8 lines 36-40).

Weingarten teaches maintaining the first connection across the first communication network while the second network connection is being established (col. 8 lines 40-45).

Weingarten teaches using the network address that is sent over a network to establish a network connection on said second network (col. 8 lines 36-40).

Regarding claims 12 and 13, in addition to the limitations previously listed, Weingarten teaches the first network is a voice telephone network (conversation, col. 8 line 14) and the second network is a computer network (Internet, ISP, col. 8

Art Unit: 2666

lines 40-45) and translating the encoded network address to a computer network address (establish a connection over the Internet, col. 8 lines 36-40).

Regarding claim 13, in addition to the limitations previously listed, Weingarten teaches obtaining a computer network address for a computer network (IP address, col. 8 lines 36-38). Note, in claim 13, the second network is the telephone network.

Although Weingarten teaches using the network address that is sent over a network to establish a network connection on said second network, Weingarten is silent on sending the encoded network address across the first / voice network.

Maroulis teaches sending the encoded network address across the first /voice network (fig. 1 box 115, col. 3 lines 57-60).

Therefore it would have been obvious to one of ordinary skill in the art, having both Weingarten and Maroulis before him/her and with the teachings [a] as shown by Weingarten, a simultaneous connection over a telephone and computer network, and [b] as shown by Maroulis, appending the network address / IP address to the telephone network signaling data, to be motivated to modify the system of Weingarten by sending the IP address

Art Unit: 2666

over the signaling channel. This would improve the system of Weingarten by providing a means for conveying the IP addresses from one PBX to another PBX (Maroulis: col. 3 lines 57-60).

Although Weingarten teaches voice communication, the reference is silent on providing encryption capabilities, wherein providing the encryption capabilities comprise encrypting the audio signal using an encryption key.

Rasmussen teaches providing encryption capabilities, wherein providing the encryption capabilities comprise encrypting the audio signal (fig. 1 box 12a,b, 20, 22, voice communications, col. 2 lines 50-53) using an encryption key (col. 1 lines 5-10).

Therefore it would have been obvious to one of ordinary skill in the art, having both the combination of Weingarten and Maroulis and Rasmussen before him/her and with the teachings [a] as shown by the combination of Weingarten and Maroulis, a simultaneous connection over a telephone and computer network, and [b] as shown by Rasmussen, providing encryption capabilities, wherein providing the encryption capabilities comprise encrypting the audio signal using an encryption key, to

Art Unit: 2666

be motivated to modify the system of the combination of Weingarten and Maroulis by inserting an encrypted communication devices (Rasmussen: fig. 1 box 12a,b) between the telephones and telephone lines of Weingarten. This would improve the system by allowing for secure communication.

Regarding claim 5, the second network comprises an Internet, wherein the computer network address comprises an IP address (Weingarten: col. 8 lines 36-40)

3. Regarding claim 9, Weingarten teaches establishing a connection across a first communication network that carries audio signals (fig. 5 element 80, col. 8 lines 10-13).

Weingarten teaches encoding a computer network address for a second network different from the first network into an encoded network address and sending the encoded network address across a network (col. 8 lines 36-40).

Weingarten teaches using the network address that is sent over a network to establish a network connection on said second network (col. 8 lines 36-40).

Weingarten teaches receiving a stream of audio signals (col. 8 lines 10-15).

Art Unit: 2666

Although Weingarten teaches using the network address that is sent over a network to establish a network connection on said second network the reference is silent on sending the encoded network address across the first / voice network.

Maroulis teaches sending the encoded network address across the first /voice network (fig. 1 box 115, col. 3 lines 57-60).

Therefore it would have been obvious to one of ordinary skill in the art, having both Weingarten and Maroulis before him/her and with the teachings [a] as shown by Weingarten, a simultaneous connection over a telephone and computer network, and [b] as shown by Maroulis, appending the network address / IP address to the telephone network signaling data, to be motivated to modify the system of Weingarten by sending the IP address over the signaling channel. This would improve the system of Weingarten by providing a means for conveying the IP addresses from one PBX to another PBX (Maroulis: col. 3 lines 57-60).

The combination of Weingarten and Maroulis is silent on encrypting an audio signal using a first computer to form encrypted audio signals; and transmitting the encrypted audio

Art Unit: 2666

signal across the first network transmitting the encrypted audio signal across the first network.

Rasmussen teaches encrypting an audio signal (col. 1 lines 5-10) using a first computer (fig. 1 box 12a) that is connected to the second network (fig. 1 box 24, 26) to form encrypted audio signals. Note, the examiner maintains that the telephone line of Rasmussen (fig. 1 line 18) is connected to a computer network since the system transmits signals from PCs (fig. 1 box 24, 26).

Rasmussen teaches transmitting the encrypted audio signal across the first network (fig. 1 element 18, col. 1 lines 5-10).

Therefore it would have been obvious to one of ordinary skill in the art, having both Weingarten and Rasmussen before him/her and with the teachings [a] as shown by Weingarten, a simultaneous connection over a telephone and computer network, and [b] as shown by Rasmussen, encrypting an audio signal using a first computer to form encrypted audio signals and sending the encrypted audio signal across the first network, to be motivated to modify the system of Weingarten by installing the ECOMs of Rasmussen (fig. 1 box 12). This would improve the system by providing for secure communication.

Art Unit: 2666

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weingarten (US 6,078,579) in view of Maroulis (US 6,484,094).

Regarding claim 4, Weingarten teaches establishing a connection across a first communication network that carries audio signals (fig. 5 element 80, col. 8 lines 10-13).

Weingarten teaches encoding a computer network address for a second network different from the first network into an encoded network address and sending the encoded network address across a network (col. 8 lines 36-40).

Weingarten teaches using the network address that is sent over the first network to establish a network connection on said second network (col. 8 lines 36-40).

Although Weingarten encoding a computer network address for a second network different from the first network into an encoded network address and sending the encoded network address across a network, the reference is silent on sending the encoded network address across the first / voice network and appending the network address to the telephone network signaling data.

Maroulis teaches sending the encoded network address across the first / voice network (fig. 1 box 115, col. 3 lines 57-60).

Art Unit: 2666

Maroulis teaches appending the network address / IP address to the telephone network signaling data (fig. 1 box 115, col. 3 lines 57-60).

Therefore it would have been obvious to one of ordinary skill in the art, having both Weingarten and Rasmussen before him/her and with the teachings [a] as shown by Weingarten, a simultaneous connection over a telephone and computer network, and [b] as shown by Maroulis, sending the encoded network address across the first / voice network and appending the network address / IP address to the telephone network signaling data, to be motivated to modify the system of Weingarten by sending the IP address over the signaling channel of the voice network. This would improve the system of Weingarten by providing a means for conveying the IP addresses from one PBX to another PBX (Maroulis: col. 3 lines 57-60).

5. Claims 8, 18, 19, and 21 - 24 rejected under 35 U.S.C. 103(a) as being unpatentable over Weingarten (US 6,078,579), in view of Maroulis, and in view of Gruen (US 6,393,460).

Art Unit: 2666

Regarding claim 8, Weingarten teaches establishing a connection across a first communication network that carries audio signals (fig. 5 element 80, col. 8 lines 10-13).

Weingarten teaches encoding a computer network address for a second network different from the first network into an encoded network address and sending the encoded network address across a network (col. 8 lines 36-40).

Weingarten teaches using the network address that is sent over a network to establish a network connection on said second network (col. 8 lines 36-40).

Weingarten teaches receiving a stream of audio signals (conversation established, col. 8 lines 14-15).

Weingarten teaches sending the audio signals through the connection across the voice telephone network (conversation established, col. 8 lines 14-15) prior to using said network to establish a network connection (col. 8 lines 36-40).

Although Weingarten teaches using the network address that is sent over a network to establish a network connection on said second network, Weingarten is silent on sending the encoded network address across the first / voice network.

Maroulis teaches sending the encoded network address across the first /voice network (fig. 1 box 115, col. 3 lines 57-60).

Art Unit: 2666

Therefore it would have been obvious to one of ordinary skill in the art, having both Weingarten and Maroulis before him/her and with the teachings [a] as shown by Weingarten, a simultaneous connection over a telephone and computer network, and [b] as shown by Maroulis, appending the network address / IP address to the telephone network signaling data, to be motivated to modify the system of Weingarten by sending the IP address over the signaling channel. This would improve the system of Weingarten by providing a means for conveying the IP addresses from one PBX to another PBX (Maroulis: col. 3 lines 57-60).

Although the combination of Weingarten and Maroulis teaches using the network address that is sent over the first network to establish a network connection on said second network the reference is silent on sending the audio signals through the connection across the computer network.

Gruen teaches sending the audio signals through the connection across the computer network (fig. 1, speech recognition system, microphone, speech recognition software, col. 3 line 54 - col. 4 line 3).

Therefore it would have been obvious to one of ordinary skill in the art, having both the combination of Weingarten and Maroulis and Gruen before him/her and with the teachings [a] as

Art Unit: 2666

shown by the combination of Weingarten and Maroulis, a simultaneous connection over a telephone and computer network, and [b] as shown by Gruen, sending the audio signals through the connection across the computer network, to be motivated to modify the system of the combination of Weingarten and Maroulis by attaching the system of Gruen (fig. 1) to the computers of Weingarten. This would improve the system of Weingarten by allowing for voice communication over the Internet.

Regarding claims 18, 23, and 24, Weingarten teaches establishing a connection across a voice network between a calling and receiving telephone (fig. 5 element 80, col. 8 lines 10-13).

Weingarten teaches establishing a connection across a computer network between a calling computer and a receiving computer (col. 8 lines 36-40) by using a computer network address for a second network sent over a communication network to establish the connection on the computer network (col. 8 lines 36-40).

Although Weingarten teaches establish a connection across a computer network between a calling computer and a receiving computer by using a computer network address for a second

Art Unit: 2666

network sent over a communication network to establish the connection on the computer network, the reference is silent on the communication network being the voice network.

Maroulis teaches sending the encoded network address across the voice network (fig. 1 box 115, col. 3 lines 57-60).

Therefore it would have been obvious to one of ordinary skill in the art, having both Weingarten and Maroulis before him/her and with the teachings [a] as shown by Weingarten, a simultaneous connection over a telephone and computer network, and [b] as shown by Maroulis, appending the network address / IP address to the telephone network signaling data, to be motivated to modify the system of Weingarten by sending the IP address over the signaling channel. This would improve the system of Weingarten by providing a means for conveying the IP addresses from one PBX to another PBX (Maroulis: col. 3 lines 57-60).

The combination of Weingarten and Maroulis is silent on verifying that the calling computer is coupled to the calling telephone by sending a signal from the receiving telephone to the calling telephone across the voice communication network and sending the signal from the calling computer to the receiving computer across the computer network.

Art Unit: 2666

Gruen teaches verifying that the calling computer is coupled to the calling telephone by sending a signal from the receiving telephone to the calling telephone across the voice communication network and sending the signal from the calling computer to the receiving computer across the computer network (fig. 1, speech recognition system, microphone, speech recognition software, col. 3 line 54 - col. 4 line 3). Note, the examiner corresponds the signal of the applicant with the voice response from the person that is called. When the caller hears the voice of the called person, the caller verifies that the calling computer is coupled to the calling telephone. Note, in the system of Gruen, the calling telephone / microphone is connected to the calling computer (fig. 1 box 12). Note, in the system of Gruen, both the voice network and Internet are used to transmit the call.

Therefore it would have been obvious to one of ordinary skill in the art, having both Weingarten and Gruen before him/her and with the teachings [a] as shown by Weingarten, a simultaneous connection over a telephone and computer network, and [b] as shown by Gruen, verifying that the calling computer is coupled to the calling telephone by sending a signal from the receiving telephone to the calling telephone across the voice

Art Unit: 2666

communication network and sending the signal from the calling computer to the receiving computer across the computer network, to be motivated to modify the system of Weingarten by attaching the system of Gruen (fig. 1) to the computers of Weingarten. This would improve the system of Weingarten by allowing for voice communication over the Internet.

Regarding claim 19, Weingarten teaches authenticating the calling computer (ISP's, col. 8 lines 43-45). Note, ISP's authenticate the users before allowing the users to connect to their network.

Regarding claim 21, Weingarten teaches encoding the computer network address into an encoded network address (col. 8 lines 36-40).

Weingarten teaches sending the encoded network address across a network (col. 8 lines 36-40).

Weingarten teaches receiving a network connection request to establish a connection across the computer network, where the network connection request uses the computer network address (col. 8 lines 36-40).

Regarding the limitation, sending the encoded address across the voice network, this limitation has already been

Art Unit: 2666

addressed in claim 18. See Maroulis teaches sending the encoded network address across the voice network (fig. 1 box 115, col. 3 lines 57-60).

Regarding claim 22, Weingarten teaches receiving the encoded network address a network (col. 8 lines 36-40).

Weingarten teaches translating the encoded network address to a computer network address (col. 8 lines 36-40). Note, if this were not the case, the connection could not be established.

Weingarten teaches sending a network connection request to establish a connection across the computer network, where the network connection request uses the computer network address (establish a connection over the Internet, col. 8 lines 36-40).

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weingarten (US 6,078,579) in view of Maroulis (US 6,584,094) in view of Rasmussen (US 5,222,136) and further in view of Agbaje-Anozie (US 5,642,397).

Weingarten teaches establishing a connection across a first communication network that carries audio signals (fig. 5 element 80, col. 8 lines 10-13).

Art Unit: 2666

Weingarten teaches encoding a computer network address for a second network different from the first network into an encoded network address and sending the encoded network address across a network (col. 8 lines 36-40).

Weingarten teaches using the network address that is sent over a network to establish a network connection on said second network (col. 8 lines 36-40).

Although Weingarten teaches encoding a computer network address for a second network different from the first network into an encoded network address and sending the encoded network address across a network, the reference is silent on sending the encoded network address across a first / voice network.

Maroulis teaches sending the encoded network address across the first / voice network (fig. 1 box 115, col. 3 lines 57-60).

Therefore it would have been obvious to one of ordinary skill in the art, having both Weingarten and Maroulis before him/her and with the teachings [a] as shown by Weingarten, a simultaneous connection over a telephone and computer network, and [b] as shown by Maroulis, appending the network address / IP address to the telephone network signaling data, to be motivated to modify the system of Weingarten by sending the IP address

Art Unit: 2666

over the signaling channel. This would improve the system of Weingarten by providing a means for conveying the IP addresses from one PBX to another PBX (Maroulis: col. 3 lines 57-60).

Although Weingarten teaches voice communication, the reference is silent on providing encryption capabilities, wherein providing the encryption capabilities comprise encrypting the audio signal using an encryption key.

Rasmussen teaches providing encryption capabilities, wherein providing the encryption capabilities comprise encrypting the audio signal (fig. 1 box 12a,b, 20, 22, voice communications, col. 2 lines 50-53) using an encryption key (col. 1 lines 5-10)

Therefore it would have been obvious to one of ordinary skill in the art, having both the combination of Weingarten and Maroulis and Rasmussen before him/her and with the teachings [a] as shown by the combination of Weingarten and Maroulis, a simultaneous connection over a telephone and computer network, and [b] as shown by Rasmussen, providing encryption capabilities, wherein providing the encryption capabilities comprise encrypting the audio signal using an encryption key, to be motivated to modify the system of the combination of Weingarten and Maroulis by inserting an encrypted communication

Art Unit: 2666

devices (Rasmussen: fig. 1 box 12a,b) between the telephones and telephone lines of Weingarten. This would improve the system by allowing for secure communication.

Although Weingarten teaches encoded network address, the combination of Weingarten, Maroulis and Rasmussen is silent on the encoded network address is encoded using dual tone multi-frequency signals 'DTMF'.

Agbaje-Anozie teaches the encoded address is sent via a telephone line using DTMF (col. 4 lines 19-22).

Therefore it would have been obvious to one of ordinary skill in the art, having both the combination of Weingarten, Maroulis and Rasmussen and Agbaje-Anozie before him/her and with the teachings [a] as shown by the combination of Weingarten, Maroulis and Rasmussen, a simultaneous connection over a telephone and computer network, and [b] as shown by Agbaje-Anozie, the encoded address is sent via a telephone line using DTMF, to be motivated to modify the system of the combination of Weingarten, Maroulis and Rasmussen by sending the encoded address is sent via a telephone line using DTMF. This would improve the system by providing a proven, reliable method for encoding the network address.

Art Unit: 2666

7. Claims 2, 10, and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weingarten (US 6,078,579), in view of Maroulis in view of Rasmussen (US 5,222,136) and further in view of Gold (US 6,304,659).

Regarding claim 2, in addition to the limitations previously listed, Rasmussen teaches allowing network users to converse across the first communication network while encrypting and decrypting audio signals for each user (col. 1 lines 5-10).

Therefore it would have been obvious to one of ordinary skill in the art, having both Weingarten, Maroulis and Rasmussen before him/her and with the teachings [a] as shown by Weingarten, a simultaneous connection over a telephone and computer network, and [b] as shown by Rasmussen, allowing network users to converse across the first communication network while encrypting and decrypting audio signals for each user, to be motivated to modify the system of Weingarten, Maroulis, and Rasmussen by inserting encrypted communication devices (Rasmussen: fig. 1 box 12a,b) between the telephones and telephone lines of Weingarten. This would improve the system by allowing for secure communication.

The combination of Weingarten, Maroulis and Rasmussen is silent on transferring a secret / encryption key across at least one of the network connections.

Art Unit: 2666

Gold teaches transferring a secret / encryption key across at least one of the network connections (col. 1 lines 18-22).

Therefore it would have been obvious to one of ordinary skill in the art, having both the combination of Weingarten, Maroulis and Rasmussen and Gold before him/her and with the teachings [a] as shown by the combination of Weingarten, Maroulis, and Rasmussen, a simultaneous connection over a telephone and computer network, and [b] as shown by Gold, transferring a secret / encryption key across at least one of the network connections, to be motivated to modify the system of the combination of Weingarten, Maroulis, and Rasmussen by transferring the encryption key across at least one of the network connections using single or double encryption techniques (Gold: col. 1 lines 18-22). This would improve the system by allowing for both end devices to have the encryption key.

Regarding claims 10 and 15-17, Weingarten teaches establishing a connection across a first communication network that carries audio signals (fig. 5 element 80, col. 8 lines 10-13).

Weingarten teaches encoding a computer network address for a second network different from the first network into an

Art Unit: 2666

encoded network address and sending the encoded network address across a network (col. 8 lines 36-40).

Weingarten teaches using the network address that is sent over a network to establish a network connection on said second network (col. 8 lines 36-40).

Although Weingarten teaches encoding a computer network address for a second network different from the first network into an encoded network address and sending the encoded network address across a network, the reference is silent on sending the encoded network address across a first / voice network.

Maroulis teaches sending the encoded network address across the first / voice network (fig. 1 box 115, col. 3 lines 57-60).

Therefore it would have been obvious to one of ordinary skill in the art, having both Weingarten and Maroulis before him/her and with the teachings [a] as shown by Weingarten, a simultaneous connection over a telephone and computer network, and [b] as shown by Maroulis, appending the network address / IP address to the telephone network signaling data, to be motivated to modify the system of Weingarten by sending the IP address over the signaling channel. This would improve the system of

Art Unit: 2666

Weingarten by providing a means for conveying the IP addresses from one PBX to another PBX (Maroulis: col. 3 lines 57-60).

Weingarten is silent on encrypting an audio signal using the encryption key and transmitting the encrypted audio signal across the first network.

Rasmussen teaches encrypting an audio signal using the encryption key (col. 1 lines 5-10).

Rasmussen teaches transmitting the encrypted audio signal across the first network (fig. 1 element 18, col. 1 lines 5-10).

Therefore it would have been obvious to one of ordinary skill in the art, having both the combination of Weingarten and Maroulis and Rasmussen before him/her and with the teachings [a] as shown by Weingarten, a simultaneous connection over a telephone and computer network, and [b] as shown by Rasmussen, encrypting an audio signal using the encryption key, and transmitting the encrypted audio signal across the first network, to be motivated to modify the system of the combination of Weingarten and Maroulis by installing the ECOMs of Rasmussen (fig. 1 box 12). This would improve the system by providing for secure communication.

Art Unit: 2666

The combination of Weingarten, Maroulis, and Rasmussen is silent on transmitting an encryption key across the second network using the network connection.

Gold teaches transmitting an encryption key across the second network using the network connection (col. 1 lines 18-22).

Therefore it would have been obvious to one of ordinary skill in the art, having both the combination of Weingarten, Maroulis, and Rasmussen and Gold before him/her and with the teachings [a] as shown by the combination of Weingarten, Maroulis, and Rasmussen, a simultaneous connection over a telephone and computer network, and [b] as shown by Gold, transferring a secret / encryption key across at least one of the network connections, to be motivated to modify the system of the combination of Weingarten, Maroulis, and Rasmussen by transferring the encryption key across at least one of the network connections using single or double encryption techniques (Gold: col. 1 lines 18-22). This would improve the system by allowing for both end devices to have the encryption key.

Regarding claim 16, note all the limitations have been met in the rejection for claim 10 above.

Art Unit: 2666

Allowable Subject Matter

8. Claims 20 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 20, nothing in the prior art of the record teaches or fairly suggests generating a random number, sending the random number to the calling telephone across the voice telephone network and receiving the encrypted random number at the receiving computer across the computer in view of the prior art teachings of network Weingarten, Maroulis, and Gruen, in combination with all the other limitations listed in the claim.

Response to Arguments

9. Applicant's arguments with respect to independent claims 1, 3, 4, 5, 8-10, 12-13, 15, 17, 18, 23, and 24 have been

Art Unit: 2666

considered but are moot in view of the new ground(s) of rejection.

Both the examiner and the applicant agree the first network of Weingarten to be the telephone network and the second network to be the Internet. The applicant contends Weingarten does not teach "using the network address that is sent over the first network to establish a network connection on the second network" (applicant: pg. 11 section Claim 4, pg. 13 sections Claim 5, Claim 8, and Claim 1, and pg. 14 sections Claims 9, 12-13 and Claim 10). To justify this position, the applicant argues that Weingarten teaches that a network address is sent over the second network to establish a network connection (applicant: pg. 11 last line - pg. 12 line 2). The examiner disagrees. Weingarten teaches entering the IP address on the first telephone's keypad (col. 8 lines 36-40). Furthermore, at the time that the IP address is entered, Weingarten does not suggest being connected to the Internet. Therefore, the examiner maintains that the IP address is sent over the telephone network. The applicant has incorporated Maroulis (US 6,584,094) to clarify this issue.

Regarding claim 4, the examiner disagrees with the applicant's argument that Weingarten fails to teach 'sending the

Art Unit: 2666

encoded network address across the first network' (applicant: pg. 12 2nd full paragraph). As stated above, Weingarten teaches entering the IP address on the first telephone's keypad (col. 8 lines 36-40). Furthermore, at the time that the IP address is entered, Weingarten does not suggest being connected to the Internet. Therefore, the examiner maintains that the IP address is sent over the telephone network.

Regarding claim 4, the applicant contends that Weingarten fails to teach, " the encoded network address is appended to telephone network signaling data" (applicant: pg. 12 last paragraph). The examiner's position has been clarified in this office action with respect to Maroulis.

Conclusion


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (703) 306-5622. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (703) 308-5463. The fax phone number for the


Art Unit: 2666

organization where this application or proceeding is assigned is
703-872-9306.

Information regarding the status of an application may be
obtained from the Patent Application Information Retrieval
(PAIR) system. Status information for published applications
may be obtained from either Private PAIR or Public PAIR. Status
information for unpublished applications is available through
Private PAIR only. For more information about the PAIR system,
see <http://pair-direct.uspto.gov>. Should you have questions on
access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).


Ronald Abelson
Examiner
Art Unit 2666

7/29/04


FRANK DUONG
PRIMARY EXAMINER